

1  
2  
3  
4  
5  
6  
7  
8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10

11 JASON DAVID YONAI; KAZELOON  
12 RECORDS & K.D. LEAN, INC.,

13 Plaintiffs,

14 v.

15 SONY BMG MUSIC  
16 ENTERTAINMENT; UNIVERSAL  
17 MUSIC GROUP; WARNER MUSIC  
18 GROUP; JIMMY IOVINE,  
INTERSCOPE RECORDS, WHOEVER  
APPLICABLE, ET AL.; THE BIG FOUR  
MUSIC GROUP,

Defendants.

Case No. 2:13-cv-07938-ODW(JEMx)

**ORDER DISMISSING CASE  
WITHOUT PREJUDICE**


19 On October 28, 2013, Plaintiff Jason David Yonai filed a putative civil-rights  
20 Complaint against myriad record-label Defendants. (ECF No. 1.) On October 31,  
21 2013, the Court dismissed Yonai's Complaint with leave amend because Yonai failed  
22 to specifically allege which copyrights he owned and how exactly he contends that  
23 each Defendant infringed them. (ECF No. 6.)

24 On November 12, 2013, Yonai filed a First Amended Complaint that purported  
25 to address his previous pleading deficiencies. But the Court again found that Yonai  
26 had still not properly alleged any viable copyright-infringement claims. The Court  
27 consequently dismissed Yonai's First Amended Complaint and gave him leave to  
28 amend by December 4, 2013. (ECF No. 11.)

1 To date, Yonai has not filed a second amended complaint or otherwise  
2 communicated with the Court. A district court has inherent power to dismiss a case  
3 for lack of prosecution—even to dismiss the case with prejudice. *Link v. Wabash R.*  
4 *Co.*, 370 U.S. 626, 629 (1962); *Ash v. Cvetkov*, 739 F.2d 493, 496 (9th Cir. 1984).  
5 Since no Defendant has even been served in this case, the Court does not find it  
6 necessary to dismiss Yonai's case with prejudice. The Court therefore **DISMISSES**  
7 this case **WITHOUT PREJUDICE** for lack of prosecution. This means that Yonai is  
8 free to refile his case when he is fully prepared to prosecute it. The Clerk of Court  
9 shall close this case.

10 **IT IS SO ORDERED.**

11  
12 December 17, 2013

13  
14 

15 **OTIS D. WRIGHT, II**  
16 **UNITED STATES DISTRICT JUDGE**  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28